

MANAGEMENT DEPARTMENT[541]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of 2010 Iowa Acts, Senate File 2088, section 282, the Department of Management, in consultation with the Early Childhood Iowa State Board, hereby gives Notice of Intended Action to adopt new Chapter 9, “Fiscal Oversight of the Early Childhood Iowa Initiative,” Iowa Administrative Code.

The Early Childhood Iowa Initiative was established by the General Assembly to create a partnership between communities and state-level partners to improve the efficiency and effectiveness of early care, education, health, and human services to support children prenatal through age five and their families. The proposed chapter provides, pursuant to 2010 Iowa Acts, Senate File 2088, section 282, the measures for fiscal oversight of early childhood Iowa area boards by the Department of Management.

No waiver provision is included because it is the opinion of the Department of Management that these rules do not necessitate such a process.

Any interested person may make written comments or suggestions on the proposed rules on or before December 7, 2010. Such written comments should be directed to Shanell Wagler, Department of Management, State Capitol Building, Room G13, Des Moines, Iowa 50319. Comments may be sent by fax to (515)281-4225 or by E-mail to shanell.wagler@iowa.gov.

A public hearing will be held on December 7, 2010, at 9 a.m. in Room 142 of the Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa, at which time comments may be submitted orally or in writing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Shanell Wagler at (515)281-4321 to advise of any specific needs.

These rules are intended to implement 2010 Iowa Acts, Senate File 2088, sections 278 to 289.

The following amendment is proposed.

Adopt the following new 541—Chapter 9:

CHAPTER 9

FISCAL OVERSIGHT OF THE EARLY CHILDHOOD IOWA INITIATIVE

541—9.1(83GA,SF2088) Definitions. For the purpose of these rules, the following definitions apply:

“*Agreement*” means a contract between the area boards, state board, department of management, and state agencies to which funding is allocated.

“*Department*” means the Iowa department of management.

“*Early childhood Iowa area board*” or “*area board*” means the board for an early childhood Iowa area created in accordance with 2010 Iowa Acts, Senate File 2088, section 284.

“*Early childhood Iowa state board*” or “*state board*” means the early childhood Iowa state board created in accordance with 2010 Iowa Acts, Senate File 2088, section 280.

541—9.2(83GA,SF2088) Purpose. This chapter sets forth the fiscal oversight measures of the department in relation to the early childhood Iowa area boards.

541—9.3(83GA,SF2088) Scope of the rules. The rules for the department are promulgated under 2010 Iowa Acts, Senate File 2088. No rule shall, in any way, relieve a person affected by or subject to

these rules, or any person affected by or subject to the rules promulgated by the various divisions of the department, from any duty under the laws of this state.

541—9.4(83GA,SF2088) Fiscal oversight.

9.4(1) In consultation with the state board, the department has adopted policies to oversee the fiscal responsibilities of area boards.

9.4(2) The department shall:

- a.* Review the internal controls of all disbursements of early childhood Iowa funding;
 - b.* Approve the process for issuing agreements with area boards;
 - c.* Approve and sign all agreements between the area boards and the state for the purposes of 2010 Iowa Acts, Senate File 2088;
 - d.* Work with state agencies to which the early childhood Iowa funding is allocated to ensure that payments are made to the area boards. The department shall, in cooperation with the agencies to which the funding is allocated, develop a policy for the disbursement of funds;
 - e.* Require an audit, conducted by an independent agency, of the early childhood Iowa funds managed by area boards. The minimum requirements and frequency of audits for the area boards shall be determined and approved by the state board;
 - f.* Ensure that all area boards secure liability insurance;
 - g.* Require that area boards submit a contract-monitoring schedule for their funded programs.
- These rules are intended to implement 2010 Iowa Acts, Senate File 2088, sections 278 to 289.